OIPE
MAR 22 2005
PATENT & TRADEMARK OFFICE

Attorney Docket: STL000039US1/1715P

CERTIFICATE OF MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **March 18, 2004**.

Jinny Nguyen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	Date: March 18, 2005
Jeff A. JOSTEN and Christopher J. MUNSON	Confirmation No.: 5056
Serial No.: 09/705,967	Group Art Unit: 2167
Filed: November 3, 2000	Examiner: Pannala, Sathyanaraya R.

For: METHOD AND SYSTEM FOR RECOVERING DATA IN A PLURALITY OF SYSTEMS

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL UNDER 37 CFR §1.191

Sir:

In the Final Office Action dated December 3, 2004, and in the Advisory Action dated February 28, 2005, the Examiner rejected Claims 2, 3, 5, 6, 8, 9, 11, 12, 14, 15, 17, 18, and 23-28. In response, Applicant hereby appeals to the Board the decision of the Primary Examiner. An Appellant's Brief will be filed in triplicate within two months from the date of this notice.

The Commissioner is hereby authorized to charge $500.00 to Deposit Account No. 09-0460 (IBM Corporation) for the Appeal fee. The Commissioner is also authorized to charge any fees additional fees required by this communication to Deposit Account 09-0460 (IBM Corporation).

If any unresolved issues remain, please contact Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

SAWYER LAW GROUP LLP

March 18, 2005
Date

Michele Liu
Attorney for Applicants
Reg. No. 44,875
(650) 493-4540

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MAR 22 2005
PATENT & TRADEMARK OFFICE

TRANSMITTAL FORM

Attorney Docket No. **STL000039US1/1715P**

In re the application: **Jeff A. JOSTEN and Christopher J. MUNSON** Confirmation No: **5056**

Serial No: **09/705,967** Group Art Unit: **2167**

Filed: **November 3, 2000** Examiner: **Pannala, Sathyanaraya R.**

For: **Method and System for Recovering Data in a Plurality of Systems**

ENCLOSURES *(check all that apply)*		
☐ Amendment/Reply	☐ Assignment and Recordation Cover Sheet	☐ After Allowance Communication to Group
☐ After Final	☐ Part B-Issue Fee Transmittal	■ Notice of Appeal
☐ Information disclosure statement	☐ Letter to Draftsman	☐ Appeal Brief *(in triplicate)*
☐ Form 1449	☐ Drawings	☐ Status Letter
☐ (X) Copies of References	☐ Petition	■ Postcard
■ Extension of Time Request *	☐ Fee Address Indication Form	☐ Other Enclosure(s) (*please identify below):*
☐ Express Abandonment	☐ Terminal Disclaimer	
☐ Certified Copy of Priority Doc	☐ Power of Attorney and Revocation of Prior Powers	
☐ Response to Incomplete Appln	☐ Change of Correspondence Address	
☐ Response to Missing Parts	***Extension of Term: Pursuant to 37 CFR 1.136, Applicant petitions the Commissioner to extend the time for response for one month(s), from March 3, 2005 to April 3, 2005.**	
☐ Executed Declaration by Inventor(s)		

CLAIMS					
FOR	Claims Remaining After Amendment	Highest # of Claims Previously Paid For	Extra Claims	RATE	FEE
Total Claims	16	22	0	$ 50.00	$ 0.00
Independent Claims	3	4	0	$200.00	$ 0.00
				Total Fees	$ 0.00

METHOD OF PAYMENT	
☐	Check no. _____ in the amount of $ _____ is enclosed for payment of fees.
■	Charge **$620.00** to Deposit Account No. 09-0460 (IBM Corporation) for payment of appeal and extension fees.
■	Charge any additional fees or credit any overpayment to Deposit Account No. 09-0460 (IBM Corporation).

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Attorney Name	Michele Liu, Reg. No. 44,875
Signature	Michele Liu
Date	March 18, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **March 18, 2005**

Type or printed name	Jinny Nguyen
Signature	Jinny Nguyen

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